

PROB 12C
(6/16)

Report Date: January 18, 2024

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Jan 19, 2024

Eastern District of Washington

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Isiah James Harrington

Case Number: 0980 2:22CR00145-TOR-1

Address of Offender: [REDACTED], Spokane Valley, Washington 99212

Name of Sentencing Judicial Officer: The Honorable David C. Nye, Chief U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: January 15, 2020

Original Offense: Attempted Robbery, 18 U.S.C. §§ 2111, 1152 & 2

Original Sentence: Prison - 41 months
TSR - 36 months

Type of Supervision: Supervised Release

Amended Sentence: Prison - 818 days
(April 12, 2022) TSR - 36 monthsRevocation Sentence: Prison - 16 days
(August 23, 2023) TSR - 32 months

Asst. U.S. Attorney: Patrick J. Cashman

Date Supervision Commenced: August 23, 2023

Defense Attorney: Federal Defender's Office

Date Supervision Expires: April 22, 2026

PETITIONING THE COURT

To issue a summons.

On August 25, 2023, an officer with the U.S. Probation Office in Spokane, Washington, reviewed a copy of the conditions of supervision with Mr. Harrington, as outlined in the judgment and sentence. He signed a copy acknowledging the requirements.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | <u>Special Condition #5:</u> You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider. |
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Supporting Evidence: On November 20, 2023, Isiah Harrington allegedly violated special condition number 5 by failing to attend his substance abuse group treatment session as scheduled.

On the evening of November 20, 2023, this officer received notification from Pioneer Human Services (PHS) that the offender failed to attend his substance abuse group treatment session as scheduled.

- 2 **Special Condition #5:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On December 15, 2023, Isiah Harrington allegedly violated special condition number 5 by failing to attend his substance abuse group treatment session as scheduled.

On December 15, 2023, PHS contacted the undersigned officer to advise that Mr. Harrington had once again missed his substance abuse group treatment session as scheduled. Because the offender had already been put on a behavioral contract with PHS because of concerns related to his lack of engagement and poor attitude, there were questions about whether or not Mr. Harrington was amenable to treatment.

- 3 **Special Condition #5:** You must undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You must contribute to the cost of treatment according to your ability to pay. You must allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On December 21, 2023, Isiah Harrington allegedly violated special condition number 5 by being unsuccessfully discharged from substance abuse treatment services with Pioneer Human Services (PHS).

On December 21, 2023, this officer received notification from PHS that it had been decided the offender would be unsuccessfully discharged from treatment due to a lack of engagement with services.

Since commencing intensive outpatient (IOP) treatment on October 12, 2023, Mr. Harrington has offered an array of excuses for his inability to report for his treatment-related appointments. Despite attempting to work with Mr. Harrington, by excusing or rescheduling missed treatment sessions or allowing him to submit to phase urinalysis the next day, his lack of engagement persisted.

It should be noted, at the time of his unsuccessful discharge, Mr. Harrington was unemployed and his children were enrolled in government-subsidized daycare during the day, so he could have requested to have his treatment sessions occur during the day.

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Special Condition #6: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On or about January 16, 2024, Isiah Harrington allegedly violated special condition number 6 by consuming cocaine.

On January 17, 2024, this officer received notification from PHS that the offender was subject to phase urinalysis testing on January 16, 2024, and provided a urine sample that was presumptive positive for cocaine. Because Mr. Harrington had denied any illicit drug use, and signed a denial of use form, the sample was sent to the lab for further testing.

Shortly after receiving notification, the assigned probation officer contacted the offender. When confronted about the urine sample, as it is not the first time Mr. Harrington has tested presumptive positive for cocaine, he admitted using cocaine.

The offender is scheduled to meet with this officer later today, January 18, 2024, to sign an admission of use form.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

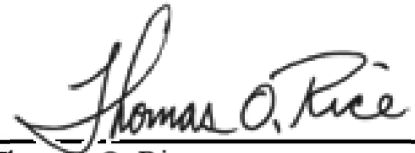
Executed on: 01/18/2024

s/Amber M.K. Andrade

Amber M.K. Andrade
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Thomas O. Rice
United States District Judge
January 18, 2024

Date